

Translation

PATENT COOPERATION TREATY

PCT/EP2003/011981



PCT

Rec'd PCT/PTO

13 JUN 2005

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P034523/WO/1	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2003/011981	International filing date (day/month/year) 29 October 2003 (29.10.2003)	Priority date (day/month/year) 12 December 2002 (12.12.2002)
International Patent Classification (IPC) or national classification and IPC B62D 65/00, 27/02		
Applicant DAIMLER CHRYSLER AG		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 22 April 2004 (22.04.2004)	Date of completion of this report 18 March 2005 (18.03.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/011981

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages \_\_\_\_\_ 1-3 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ 1,2 \_\_\_\_\_ received by this Authority on 03 December 2004 (03.12.2004)
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- pages \_\_\_\_\_ 1/1 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☒ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☒ the claims, Nos. \_\_\_\_\_ 3 \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1, 2	YES
	Claims		NO
Inventive step (IS)	Claims	2	YES
	Claims	1	NO
Industrial applicability (IA)	Claims	1, 2	YES
	Claims		NO

**2. Citations and explanations**

This report makes reference to the following document:

D1: DE 196 12 944 A (AHLMANN ACO SEVERIN) 2 October 1997  
(1997-10-02).

1. Claim 1 relates to a mounting device for joining a vehicle body to attachment elements. As a result of this wording ("for"), none of the vehicle parts come under the scope of protection of the claim, which means that even any interrelationship between several mounting pins or vehicle parts that might arise from such an application would not be considered to be part of the subject matter.

For the reasons mentioned above, the scope of protection of the present claim 1 is effectively restricted to a single centering or mounting pin with the features indicated in the rest of said claim. Since D1 discloses a mounting pin of this type (see D1, figures 4a-4b), this document is regarded as the closest prior art.

2. D1 discloses (see figures 4a-4b):

a mounting device (mounting pin) suitable for joining a vehicle body to attachment elements (see D1, column 6, lines 6-15), the mounting device having a metal base ((1,100); see also column 7, line 23) and a plastic sleeve (20), and the plastic sleeve being slidable onto the metal base like a sock and the end of the centering pin being arched like a dome.

Claim 1 differs from this disclosure by the fact that the plastic sleeve is joined to the base by detachably locking therein.

Therefore, claim 1 is novel (PCT Article 33(2)).

3. The above-mentioned distinguishing feature solves the problem of axially locking the base and the plastic sleeve to each other in a guidable manner.

This problem is already solved by D1, however, because D1 discloses the feature (see D1, figures 1a-1b and 4a-4b) that the metal base has raised areas (2, 3, 4) that cooperate with the narrow areas (8) provided at corresponding points on the plastic sleeve so as to enable the plastic sleeve to be axially fixed to the base in a guidable manner. This results in a certain "locking in" feeling when the plastic sleeve reaches the positions provided on the base (see also D1, column 5, lines 50-63).

Therefore, claim 1 is not regarded as inventive (PCT Article 33(3)) because the feature of a general "locking in" appears to be merely a non-specific variant of the interaction between the base and plastic sleeve disclosed in D1, the selection of

which does not render the claim inventive.

4. The subject matter of claim 2 differs from the disclosure in D1 by a more precise specification of the "locking in", namely by the features of an annular groove positioned on the plastic sleeve and an annular collar on the base.

Claim 2 is regarded as inventive (PCT Article 33(3)) because it would not be obvious for a person skilled in the art to replace the type of interaction between the plastic sleeve and the base provided in D1 with the features of the locking in mechanism indicated in detail in claim 2.